

Case 0:20-cr-00150-NEB-BRT

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UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

CR. NO. 20-150(1) (NEB/BRT)

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UNITED STATES OF AMERICA,

Plaintiff,

v.

GREGORY LYNN MCCOY,

Defendant,

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U.S. DISTRICT COURT  
MINNEAPOLIS, MINNESOTA

**MOTION FOR HEARING  
PURSUANT TO  
FRANKS V. DELAWARE**

Defendant, moves the Court to conduct an evidentiary hearing to examine the statements made in support of the search warrant relied upon to justify the search of the residence on Sheridan Avenue North in Minneapolis.

As contemplated by *Franks v. Delaware*, 438 U.S. 154 (1978), a Defendant is entitled to a hearing upon showing that a search warrant affidavit contains statements made with a reckless disregard for the truth that affected the Magistrate's finding of probable cause.

As set forth in a separately filed Memorandum, Mr. McCoy makes the necessary showing and respectfully request that the Court schedule a *Franks* hearing at its convenience.

Dated February 4, 2021

SCANNED  
FEB 11 2021  
U.S. DEPT. OF JUSTICE  
FBI - MINNEAPOLIS  
PLS

Respectfully submitted

  
/s/ Gregory L. McCoy

Sherburne County Jail  
13880 Business Center Dr. NW.  
Suite 200  
Elk River, MN. 55330